

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

SAMI KHAN NIAZI,

Plaintiff,

v.

TEXAS A&M UNIVERSITY,

Defendant.

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Civil Case No.,

PLAINTIFF’S COMPLAINT

TO THE HONORABLE COURT:

COMES NOW Plaintiff, Sami Khan Niazi, (“Plaintiff”), to file this *Plaintiff’s Complaint* against the Defendant, Texas A&M University (“Defendant”), as follows:

A. NATURE OF SUIT

1. At all times relevant, Plaintiff was a Texas A&M University student. While participating in Defendant’s education program, Plaintiff was discriminated against. Plaintiff was a student with a disability and Defendant was timely informed of this.
2. On December 7, 2019, Plaintiff scored 1470 on the SAT, which was ranked at the ninety-ninth (99%) percentile. See Plaintiff’s SAT Score Report attached hereto as **Exhibit “A”** and incorporated herein for all purposes.
3. On June 3, 2021, Plaintiff graduated from high school with a 3.8769 Grade Point Average. See Plaintiff’s highs school transcript attached hereto as **Exhibit “B”** and incorporated herein for all purposes.

4. In the summer of 2022, Plaintiff contracted COVID. On August 3, 2022, Plaintiff contacted Defendant employee Tammy Thomas explaining his contraction of COVID and requesting to Q drop his Comm 203 course. Ms. Thomas agreed that Sami would be allowed to Q drop the course, but then it was not Q dropped by Office of Registrar. See Plaintiff's email to Ms. Thomas attached hereto as **Exhibit "C"** and incorporated herein for all purposes.
5. On January 9, 2023, Dr. Carla Sharp, Ph.D., Director of the University of Houston Adolescent Diagnosis Assessment Prevent Treatment evaluated Plaintiff and determined he met criteria for major depressive episode, associated with anhedonia and low levels of energy, and generalized anxiety. See Dr. Sharp's letter attached hereto as **Exhibit "D"** and incorporated herein for all purposes. Dr. Sharp found:

Plaintiff's symptoms began when (sic) [he] was in high school and coincided with (1) his family's move to Houston when he lost his peer network and (2) the onset of COVID just a couple of months later, which further isolated him. [He] was unable to "bounce back" developmentally because he soon after began college – still during COVID. These were not the ideal circumstances to ameliorate [his] already increasing feelings of loneliness and his symptoms worsened, resulting in anhedonia, low motivation and energy, and sadness. In addition, he began to worry because he was a high achieving student who was motivated to do well in Engineering but did not want to disappoint his parents. [His] growing doubts about his career path exacerbated his anxiety and worry, further paralyzing him. All this culminated in dropping of grades and importantly, the fact that he was not engaging in regular student life on campus, which, in turn, exacerbated his depression.

6. On October 2, 2023, Defendant employee Academic Advisor P. Adrian Garza contacted Plaintiff by email in reply to Plaintiff's prior emails requesting a No Grade in certain classes which Plaintiff enrolled during the time he had COVID and was not yet diagnosed by Dr. Sharp. See Mr. Garza's email to Plaintiff attached hereto as **Exhibit "E"** and incorporated herein for all purposes. In his email to Plaintiff, Dr. Garza stated:

Thanks for keeping up with your no grade.

We just had a advisor meeting where our Associate Dean indicated that no grade submissions will not be decided upon until 2 full semesters are completed (not including summer semesters). So by that statement, the no grade is not to help students immediately drop semester worth of work. It is to review a student's record after the suggested semester requested to no grade and ensure that students have improved their academic performance and heavily consider the no grade request based on extraordinary circumstances outside of the students control.

At this time, it seems they will need to see 2 full semesters (Fall 2023 and Spring 2024) before a no grade decision is made so you planning to apply for ETAM end of this fall a no grade is not likely to be made by then.

7. On October 20, 2023, Plaintiff contacted Defendant employee Paul Garza requesting an update on his No Grade application. See Plaintiff's email attached hereto as **Exhibit "E"** and incorporated herein for all purposes.
8. On October 22, 2023, Plaintiff contacted Defendant employee Paul Garza requesting an update on his No Grade application. See Plaintiff's email attached hereto as **Exhibit "F"** and incorporated herein for all purposes.
9. On December 19, 2023, Plaintiff contacted Defendant employee Director of College of Engineering Dr. Laura Olivarez by email and regarding requesting an update on his No Grade application. See Plaintiff's email to Dr. Olivarez attached hereto as **Exhibit "G"** and incorporated herein for all purposes.
10. On December 22, 2023, Defendant employee Associate Dean for Undergraduate Programs Dr. Angie Hill Price contacted Plaintiff that he was dismissed from the General Engineering program for failure to meet ETAM requirements by the end of his fourth semester. See Dr. Price's email to Plaintiff attached hereto as **Exhibit "H"** and incorporated herein for all purposes.
11. Plaintiff's current Texas A&M University transcript includes one grade of "F" from the **Plaintiff's Complaint**

Summer 2022 semester in which Plaintiff had COVID and untreated mental health conditions. See Plaintiff's email to the Academic Review Committee attached hereto as **Exhibit "I"** and incorporated herein for all purposes. The transcript also shows three grades of "F" from the Fall 2022 semester, which were retaken in the Spring 2023 semester with passing grades. See **Exhibit "I."**

12. Plaintiff was unable to return to his academic program, the College of Engineering. Plaintiff reached out for help to multiple Defendant employees for assistance. Plaintiff was ignored and not provided any support. Defendant did not provide Plaintiff reasonable services or accommodations for his disability so that he could return to his academic program. Plaintiff suffered physical distress and emotional distress from Defendant's discriminatory acts. Plaintiff had a severe emotional reaction to this discrimination.
13. Plaintiff now files this action for relief pursuant to 42 U.S.C. § 12101 et. seq., 42 U.S.C. § 12131 et. seq. and 29 U.S.C. § 794. 42 U.S.C. § 12101 et. seq., 42 U.S.C. § 12131 et. seq. protects qualified individuals with disabilities from discrimination on the basis of disability in services, programs, and activities provided by State and local government entities. 29 U.S.C § 794 extends the prohibition on discrimination to all activities of by State and local governments regardless of whether these entities receive federal financial assistance.

B. PARTIES

14. Plaintiff is an individual residing in Texas.
15. Defendant, Texas A&M University, is a public university operating in the State of Texas.

C. SERVICE

16. Defendant is a public university located in Brazos County, Texas, and may be served with process by serving Director of College of Engineering Dr. Laura Olivarez Texas A&M

University, College of Engineering, 3127 TAMU, College Station, TX 77843.

D. JURISDICTION and VENUE

17. The jurisdiction of this Court is in accordance with 28 U. S. C. § 1331 as involving a *federal question* proceeding arising under 42 U.S.C. § 12101 et. seq., 42 U.S.C. § 12131 et. seq. and 29 U.S.C. § 794.
18. Venue is proper in Brazos County, Texas because Defendant's conduct occurred in Brazos County, Texas at the time of the incident. Venue is also proper in Brazos, Texas because all of the behavior alleged occurred in Brazos County, Texas.

E. FACTUAL ALLEGATIONS

19. At all times relevant to this action, Plaintiff was a student attending Defendant school.
20. At all times relevant to this action, Defendant knew that Plaintiff was a student with a disability.
21. Plaintiff had a severe emotional reaction to Defendant's failure to provide Plaintiff reasonable services or accommodations for his disability so that he could return to his academic program. Plaintiff was unable to return to class and continue with his academic program. Plaintiff suffered physical distress and emotional distress from Defendant's discriminatory acts.

F. LEGAL AUTHORITY

DISCRIMINATION BASED ON DISABILITY

22. Section 794 of Title 29 of the United States Code provides:

No otherwise qualified individual with a disability in the United States, as defined in section 705(20) of this title, shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service.

23. Section 12101 and 12131 of Title 42 of the United States Code prohibit discriminatory acts by public entities against persons with disabilities.

24. The Congress finds that—

(1) Physical or mental disabilities in no way diminish a person’s right to fully participate in all aspects of society, yet many people with physical or mental disabilities have been precluded from doing so because of discrimination; others who have a record of a disability or are regarded as having a disability also have been subjected to discrimination. 42 U.S.C. § 12101.

25. 42 U.S.C. §12131 states:

(1) Public entity

The term “public entity” means—

- (a) Any State or local government;
- (b) Any department, agency, special purpose district, or other instrumentality of a State or States or local government; and
- (c) The National Railroad Passenger Corporation, and any commuter authority (as defined in section 24102(4) of title 49).

(1) Qualified individual with a disability

The term “qualified individual with a disability” means an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity.

26. 29 U.S.C. § 794 states:

(d) Promulgation of rules and regulations

No otherwise qualified individual with a disability in the United States, as defined in section 705(20) of this title, shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service. The head of each as may be necessary to carry out the amendments to this section made by the Rehabilitation, Comprehensive Services, and Developmental Disabilities Act of 1978. Copies of any proposed regulation shall be submitted to appropriate authorizing committees of the Congress, and such regulation may take effect no earlier than the thirtieth day after the date on which such regulation is so submitted to such committees.

(e) **“Program or activity” defined**

For the purposes of this section, the term “program or activity” means of all of the operations of—

(1)(A) a department, agency, special purpose district, or other instrumentality of a State or of a local government; or

(B) the entity of such State or local government that distributes such assistance and each such department or agency (and each other State or local government entity) to which the assistance is extended, in the case of assistance to a State or local government.

(2)(A) a college, university, or other postsecondary institution, or a public system of higher education; or

(B) a local educational agency (as defined section 7801 of title 20), system of career and technical education, or other school system;

(3)(A) an entire corporation, partnership, or other private organization, or an entire sole

proprietorship—

- (i) if assistance is extended to such corporation, partnership, private organization, or sole proprietorship as a whole; or
- (ii) which is principally engaged in the business of providing education, health care, housing, social services, or parks and recreation; or
- (B) the entire plant or other comparable, geographically separate facility to which Federal financial assistance is extended, in the case of any other corporation, partnership, private organization, or sole proprietorship; or
- (4) any other entity which established by two or more of the entities described in paragraph (1), (2), or (3);

Any part of which is extended Federal financial assistance.”

SECTION 1983

27. The Fourteenth Amendment to the United States Constitution forbids the State to deprive any person of life, liberty, or property without due process of law. *Goss v. Lopez*, 419 U.S. 565, 572 (1975).

28. Section 1983 of Title 42 of the United States Code provides, in part:

“Every person who under color of any statute, ordinance, regulation, custom, or usage, of any State...subjects, or causes to be subjected, and citizen of the United States...to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress...”

29. Defendant’s described acts and omissions as to Plaintiff were committed under the color of law and resulted in the violation of Plaintiff’s rights under:

- (a) The procedural due process requirements of the United States Constitution as set forth in the Fourteenth

Amendment, in violation of Plaintiff's rights.

- (b) The substantive due process requirements of the United States Constitution set forth in the Fourteenth Amendment in violation of Plaintiff's rights.
- (c) The equal protection requirements of the United States Constitution set forth in the Fourteenth Amendment in violation of Plaintiff's rights.

Hereafter, the foregoing shall be collectively referred to as the "Section 1983 Violations."

SCHOOL OFFICIAL POLICIES

- 30. Defendant's Student Rules, Rule 10 states, "For information on contesting an assigned grade, see Part III, Student Grievance Procedures, 48. Grade Disputes (<https://student-rules.tamu.edu/rule48>).” See Defendant's Student Rules, Rule 10 attached hereto as **Exhibit “J”** and incorporated herein for all purposes.
 - 31. Defendant's Student Rules, Rule 10 states, “NG: No Grade. Administrative removal of posted grades requires approval by the Dean or designee (<https://us.tamu.edu/faculty-staff/deans-delegates>) of the college in which the student was enrolled during the semester in which the courses were taken. A NG requires extensive documentation of the extraordinary circumstances justifying the No Grade.” See **Exhibit “J.”**
 - 32. Defendant's Student Rules, Rule 10 states, “Rules related to F* grades and repeat courses may be found in Student Rule 20 under Sanctions.” See **Exhibit “J.”**
 - 33. Defendant's Student Rules, Rule 10 states, “After grades have been posted to a student's record, grades are final and may not be changed except with permission of the Academic Standards Committee. A request for a grade change must be made within 90 days after the official posting of the grade.” See **Exhibit “J.”**
 - 34. Defendant's Student Rules, Rule 10 states, “When a course is repeated by an undergraduate student in an attempt to earn a grade higher than C, D, F, or U, only the highest grade will
- Plaintiff's Complaint**

be used for the degree audit.” See **Exhibit “J.”**

35. Defendant’s Student Rules, Rule 48 states, “An undergraduate student who believes that his or her final grade reflects a capricious, arbitrary, or prejudiced academic evaluation must follow the resolution procedures and deadlines as described in Student Rule 57 Undergraduate Academic Appeals Panel (<https://student-rules.tamu.edu/rule57>).” See Defendant’s Student Rules, Rule 48 attached hereto as **Exhibit “K”** and incorporated herein for all purposes.
36. Defendant’s Student Rules, Rule 57 states, “Discrimination. Student Rule 45 (Discrimination and Discrimination Appeals) should be used for grievances concerning race, color, sex, gender identity, age, religion, disability, national origin, immigration status, citizenship status, sexual orientation, genetic information, or veteran status.” See Defendant’s Student Rules, Rule 57 attached hereto as **Exhibit “L”** and incorporated herein for all purposes.
37. Defendant’s Student Rules, Rule 57 states, “Disability Accommodations in Academic Programs. Student Rule 46 (Disability Accommodations in Academic Programs) should be used for grievances concerning disability accommodations in academic programs.” See **Exhibit “L.”**
38. Defendant’s Student Rules, Rule 45 states, “Texas A&M University is committed to providing a safe and non-discriminatory learning, living and working environment for all members of the University community. The University bars students, employees and third parties from engaging in discrimination and/or harassment on the basis of race, color, sex, gender identity, age, religion, disability, national origin, sexual orientation, genetic information or veteran status. In addition, acting in complicity with another who engages in any of these forms of prohibited conduct, or retaliating against a person who participates

in protected activity, is also prohibited.” See Defendant’s Student Rules, Rule 45 attached hereto as **Exhibit “M”** and incorporated herein for all purposes.

39. Defendant’s Student Rules, Rule 46 states, “Texas A&M University is committed to promoting an inclusive environment where every student can fully participate in the educational opportunities, activities and services offered by Texas A&M.” See Defendant’s Student Rules, Rule 46 attached hereto as **Exhibit “N”** and incorporated herein for all purposes.

G. Harm suffered by Plaintiff

40. The discrimination as to Plaintiff was emotionally and mentally harmful to him and he was scarred emotionally and mentally as a result of being the victim of the Defendant’s discriminatory actions and behavior.
41. Such emotional and mental harm certainly resulted in Plaintiff not being able to receive and benefit from the educational opportunities offered to the other students at Defendant school.
42. Further, such emotional and mental harm continues to prevent Plaintiff from being able to receive and benefit from the educational benefits offered to the other students within Defendant school.
43. As a direct result of Plaintiff being scarred emotionally and mentally as a result of being the victim of the Defendant’s discriminatory behavior and acts, Plaintiff’s emotional and mental health is likely to continue to deteriorate.

H. PLAINTIFF’S CAUSES OF ACTION

44. Plaintiff incorporates by reference the facts and authorities set forth in the foregoing sections hereof.

45. Defendant adopted a policy or custom with deliberate indifference that was the moving force behind Defendant's violation of Plaintiff's constitutional rights. Defendant adopted Defendant's Student Rules, Rule 48 states, "An undergraduate student who believes that his or her final grade reflects a capricious, arbitrary, or prejudiced academic evaluation must follow the resolution procedures and deadlines as described in Student Rule 57. This policy is indifferent to the immediate issues of discrimination in grading and those victims' inability to participate in their education program without reasonable services and accommodations.
46. Defendant's described acts and omissions as to Plaintiff were discriminatory under 42 U.S.C. § 12101 et. seq., 42 U.S.C. § 12131 et. seq. and 29 U.S.C. § 794. 42 U.S.C. § 12101 et. seq., 42 U.S.C. § 12131 et. seq. because he was unable to access his educational program because of his disability, notified multiple school officials, and Defendant took no action to provide Plaintiff with reasonable services or accommodations so that he could access his educational program.
47. Defendant's Section 1983 Violations as to Plaintiff were committed under the color of law and resulted in the violation of Plaintiff's procedural and substantive due process rights, and equal protection rights, afforded Plaintiff under the United States Constitution and other federal laws.
48. Plaintiff has suffered emotional, and psychological harm and damages as a result of the Section 1983 violations set forth herein and committed by Defendant entitling Plaintiff to compensatory damages (actual and consequential) pursuant to Section 1983, for which Plaintiff now sues.

I. REQUEST FOR JURY

49. Plaintiff hereby requests that a jury be empaneled, and, that the foregoing causes of actions
Plaintiff's Complaint

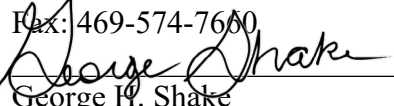
and requests for relief be presented thereto.

J. PRAYER FOR RELIEF

50. Wherefore, premises considered, Plaintiff prays that upon final consideration of this matter that Plaintiff have judgment against Defendant for:

- a. Monetary damages;
- b. Reasonable and necessary attorneys' fees;
- c. Taxable expenses of litigation and costs of court;and,
- d. Post-judgment interest at the maximum lawful rate.
- e. Plaintiff further prays that Plaintiff receive such other and further relief to which he may be justly entitled.

Respectfully submitted,

HOWLAND SHAKE LAW, LLP
17304 Preston Road, Suite 800
Dallas, Texas 75252
Tel: 469-371-4282
Fax: 469-574-7660

George H. Shake
State Bar No. 24077524
Federal ID 3684307
george@howlandshakelaw.com
Attorney for Plaintiff

**SAT**

SAT Score Report

Sami K. NiaziTest Date: **Dec. 07, 2019**Registration Number: **0080658651**

Gender:

Date of Birth:

Test Center Number: **44845**CB Student ID: **113735417**High School Code: **446782**

High School Name:

Your Total Score

1470 | 400–1600**99th**Nationally Representative
Sample Percentile**97th**

SAT User Percentile

Essay Scores

6 | 2 to 8
Reading**4** | 2 to 8
Analysis**6** | 2 to 8
Writing

Section Scores

740 | 200–800Your Evidence-Based
Reading and Writing
Score**99th**Nationally Representative
Sample Percentile**98th**

SAT User Percentile

**You've met
the benchmark!****730** | 200–800

Your Math Score

97thNationally Representative
Sample Percentile**94th**

SAT User Percentile

**You've met
the benchmark!**

Test Scores

37 | 10–40

Reading

37 | 10–40

Writing and Language

36.5 | 10–40

Math

Cross-Test Scores | 10–40

36

Analysis in History/Social Studies

35

Analysis in Science

Subscores | 1–15

15Command of
Evidence**13**

Words in Context

14

Expression of Ideas

13Standard English
Conventions**13**

Heart of Algebra

13Problem Solving
and Data Analysis**14**Passport to
Advanced MathGet your full report online at sat.org/scorereport

Am I on Track for College?

Look for the green, yellow, or red symbols next to your section scores. They let you know if your scores are at or above the benchmark scores. Benchmarks show college readiness. If you see green, you're on track to be ready for college when you graduate.

If you score below the benchmark, you can use the feedback and tips in your report to get back on track.

Benchmark scores:

Evidence-Based Reading and Writing: 480**Math: 530**

How Do My Scores Compare?

A percentile shows how you scored, compared to other students. It's a number between 1 and 99 and represents the percentage of students whose scores are equal to or below yours.

For example, if your Math percentile is 57, that means 57% of test takers have Math scores equal to or below yours.

The **Nationally Representative Sample Percentile** compares your score to the scores of typical U.S. students.

SAT® User Percentile compares your score to the scores of students who typically take the test.

How Can I Improve?

To see which skills are your strongest and what you can do to boost your college readiness, go to your full report online and look for Skills Insight™.

What Are Score Ranges?

Test scores are single snapshots in time—if you took the SAT once a week for a month, your scores would vary.

That's why score ranges are better representations of your true ability. They show how much your score can change with repeated testing, even if your skill level remains the same.

Colleges know this, and they get score ranges along with scores so they can consider scores in context.

Your online score report shows your score ranges.

EXHIBIT**A**

SAT Summary of Scores

Date		Dec. 07, 2019	Oct. 05, 2019	Aug. 24, 2019			
Grade		11	11	11			
SAT							
Total		1470	1350	1330			
Evidence-Based Reading and Writing		740	660	670			
Math		730	690	660			
Essay	Reading	6	6	6			
	Analysis	4	3	4			
	Writing	6	6	6			
Old SAT							
Critical Reading							
Mathematics							
Writing							

SAT Subject Test Scores

Date							
Grade							
Subject Test							
Test Score							
Language Subscores	Reading						
	Listening						
	Usage						
Subject Test							
Test Score							
Subject Test							
Test Score							

* Scores from the SAT Subject Test in Mathematics aren't comparable to Math section, test, and related subscores on the SAT.

*Not all SAT Subject Tests™ have subscores.

How Do I Send My Scores to Colleges?

This student score report is for your use only.

Most colleges require you to have the College Board send them official score reports. They don't accept copies of student score reports, online score reports, or score report labels on transcripts.

Can I Choose Which Scores to Send?

With Score Choice™, you decide which scores you send to colleges. Choose by test date for the SAT and individual test for SAT Subject Tests™. Just make sure you follow each college's stated score-use policy.

What's Next?

Go to sat.org/scorereport and choose your next steps:

- Send your scores to colleges.
- Find out which AP® courses you might do well in.
- Get tips on boosting your skills.
- Use your scores to personalize your SAT practice.
- Make a college plan.
- Follow your interests, and build a career road map.
- Register for SAT Subject Tests, or take the SAT again.

Student Name and Address

NIASI, SAMI KHAN
5207 BIRCH FALLS LN
SUGAR LAND, TX 77479

FBISD Student ID: 0813325

Gender: MALE

Date of Birth: 03/20/2003

State of Texas Achievement Record

Fort Bend ISD

LAWRENCE E ELKINS H S
7007 KNIGHTS CT
MISSOURI CITY TX 77459-6111

School Phone: (281) 634-2600

District #: 079907 College Board: 446782

Parent/Guardian: GHAZAL BILAL

Grade Level:12 Grad. Year: 2021 Grad. Date: 06/03/2021

Ethnicity/Federal Race: Non-Hispanic, Asian

Graduation Program: FOUNDATION HIGH SCHOOL PROGRAM

Distinguished Level of Achievement (Completed)

GPA Type	GPA	Class Rank	Calculated
100 PT Weighted:	94.8000	163 of 633	06/08/2021
4.0 Unweighted:	3.4769	Quartile:2	
4.0 Weighted:	3.8769		

FHSP Speech Req Date Met:06/03/2021

CPR Instruction Date Met:04/22/2021

Peace Officer Interaction Date Met:

Academic Record

Year	Service ID	Course: Type	S1	S2	AVG	Credits	Year	Service ID	Course: Type	S1	S2	AVG	Credits
LANGUAGE ARTS													
2018	03220100	ENG 1:Q	93	96	95	1.000	2021	13037500	ENGSCIEN	93			0.500
2019	03220200	ENG 2:Q	100	99	100	1.000							
2020	A3220100	APENGLAN:P	90	90	90	1.000							
2021	A3220200	APENGLIT:P	87	71	79	1.000							
SPEECH													
2021	13009900	PROFCOMM		70		0.500							
MATHEMATICS													
2017	03100500	ALG 1:J	78	97	88	1.000							
2018	03100700	GEOM:Q	100	100	100	1.000							
2019	03100600	ALG 2:Q	100	99	100	1.000							
2020	03101100	PRE CALC:Q	93	90	92	1.000							
2021	A3100102	APCALCBC:P	88	40	64	0.500							
2021	A3100200	APSTATS:P	92	70	81	1.000							
2021	A3580110	APTACSAM:P	93	49	71	1.000							
SCIENCE													
2017	03010200	BIO:J	83	92	88	1.000							
2018	03040000	CHEM:Q	95	97	96	1.000							
2019	03050000	PHYSICS	98	93	96	1.000							
2020	A3050003	APPHYS1:P	97	93	96	1.000							
2021	A3050006	APPHYSM:P	91			1.000							
2021	A3050005	APPHYSCE:P		62		0.000							
SOCIAL STUDIES													
2018	03320100	W GEO:Q	93	100	97	1.000							
2019	03340400	W HIST	98	100	99	1.000							
2020	A3340100	APUSHIST:P	92	93	92	1.000							
2021	A3330100	APUSGOVT:P	97			0.500							
ECON/FREE ENT													
2021	A3310200	APMACECO:P		70		0.500							
HEALTH													
2018	03810100	HLTH ED		99		0.500							
P.E./EQUIVALENT													
2019	PES00052	PEFOUND		100		0.500							
2019	PES00052	PEFOUND	100			0.500							
OTHER LANGUAGE													
2018	03440100	SPAN 1	98	98	98	1.000							
2019	03440200	SPAN 2	98	100	99	1.000							
2020	03440300	SPAN 3:Q	91	90	91	1.000							
2021	A3580120	APTACSAL:P	93	49	71	1.000							
FINE ARTS													
2018	03500100	ART 1	90	95	93	1.000							
TECH APPLICATIONS													
2020	03580200	TACS1:Q	97	99	98	1.000							
CAREER/TECH ED													
2017	13024400	INTERSTU	97			0.500							
2017	13027200	PRINIT:J		89		0.500							
2018	13027200	PRINIT	96			0.500							
2019	13011200	PRINBMF	100	100	100	1.000							
2020	N1303742	IED	94	95	94	1.000							

Schools Awarding Credit:

2017 205902001/205902001
2018 205902001/205902001
2019 205902001/205902001
2020 079907006/079907006
2021 079907006/079907006

State Credits: 31.50

Local Credits: .00

Total Credits: 31.50

EXHIBIT

B

Course Type Codes:
A: Articulated Tech Prep
C: Correspondence
D: College Dual Credit
E: CBE with No Prior Instruction
H: Honors
I: IB Course
J: HS Course Compl. Prior to Gr. 9
L: Local Credit

P: AP Course
Q: Pre AP Course
R: Summer School/Night School
T: CBE with Prior Instruction
Z: Distance Learning
3: Completed outside of TX public school system
7: TEKS Course for FHSP PE Requirement
8: LOTE substitution

Grade Codes:
P = Pass (70 and above) F = Fail
A = 100-90, B = 89-80, C = 79-70, D = 69-60
*: Credit denied due to absences
(dot): Course averaged

COVID SY2020: AVG = S1 x 67% + S2 x 33%
S1 = (T1 x 42.5%) + (T2 x 42.5%) + (SE x 15%)
S2 = T3
#Did Not Meet T4 = Credit Denial S2



Student Name and Address

NIAZI, SAMI KHAN
5207 BIRCH FALLS LN
SUGAR LAND, TX 77479

FBISD Student ID: 0813325

Gender: MALE

Date of Birth: 03/20/2003

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Fort Bend ISD

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MISSOURI CITY TX 77459-6111

School Phone: (281) 634-2600

District #: 079907 College Board: 446782

Parent/Guardian: GHAZAL BILAL

END OF COURSE EXAMS

SUBJECT	PERFORMANCE LEVEL	ADMINISTRATION	YEAR	Exempt Date	Exempt Reason
English I	Masters	Spring	2018		
English II	Masters	Spring	2018		
Biology	Masters	Spring	2017		
Algebra I	Masters	Spring	2017		
US History	2020 Waived	Spring	2020		

ENDORSEMENTS

Endorsement	Status	Option
Multidisciplinary Studies	Completed	Option A: Advanced Courses
STEM	Completed	Option C: Mathematics

PERFORMANCE ACKNOWLEDGEMENTS

Performance Acknowledgment	Category Description	Comment
College Readiness	Acknowledgment for SAT: As of March 2016, scores of at least 410 on reading and 520 on math	
AP/IB Exams	Acknowledgment for AP: English Language & Composition	
AP/IB Exams	Acknowledgment for AP: United States History	

Course Type Codes:

A: Articulated Tech Prep
C: Correspondence
D: College Dual Credit
E: CBE with No Prior Instruction
H: Honors
I: IB Course
J: HS Course Compl. Prior to Gr. 9
L: Local Credit

P: AP Course
Q: Pre AP Course
R: Summer School/Night School
T: CBE with Prior Instruction
Z: Distance Learning
3: Completed outside of TX public school system
7: TEKS Course for FHSP PE Requirement
8: LOTE substitution

Grade Codes:
P = Pass (70 and above) F = Fail
A = 100-90, B = 89-80, C = 79-70, F = 69-0
*: Credit denied due to absences
.(dot): Course averaged

COVID SY2020: AVG = S1 x 67% + S2 x 33%
S1=(T1 x 42.5%)+(T2 x 42.5%)+(SE x 15%)
S2=T3
#Did Not Meet T4 = Credit Denial S2





Sami Niazi <saminiazi@tamu.edu>

Q drop

Sami Niazi <saminiazi@tamu.edu>

Wed, Aug 3, 2022 at 2:10 PM

To: Tammy Thomas <tammy-t-thomas@tamu.edu>

Hello,

This is Sami Niazi UIN: 631006537. I attended two summer courses, one of which was a POLS 207 class that I couldn't attend due to getting COVID the second week. I couldn't attend any lectures and tried doing the exams and work without any resources and it wasn't working well. I tried contacting the professor. But the first few days the canvas page wasn't up so I had to look up his email and I'm guessing it was wrong, but the second time I tried to get in contact I used the correct email provided in the syllabus and still couldn't get in contact. I had no issues with my other class and me and my other professor worked it out. But I want to Q drop this one because I don't believe I can make up all the grades in time at this point and can't contact the professor either. I can attach the COVID positive note from the doctor and can forward the emails I had sent as necessary.

Sincerely,

Sami Niazi

EXHIBIT**C**

U N I V E R S I T Y of
HOUSTON

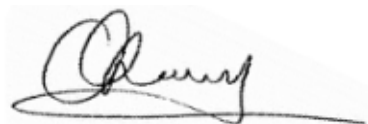
ADOLESCENT DIAGNOSIS ASSESSMENT PREVENTION TREATMENT

To Whom It May Concern:

The ADAPT Clinic evaluated Sami Niazi on January 9, 2023 and determined that Sami met criteria for major depressive episode, associated with anhedonia and low levels of energy, and generalized anxiety which significantly interfere with his ability to maintain his studies and reach his educational goals. These symptoms began when Sami was in high school and coincided with (1) his family's move to Houston when he lost his peer network and (2) the onset of COVID just a couple of months later, which further isolated him. Sami was unable to "bounce back" developmentally because he soon after began college – still during COVID. These were not the ideal circumstances to ameliorate Sami's already increasing feelings of loneliness and his symptoms worsened, resulting in anhedonia, low motivation and energy, and sadness. In addition, he began to worry because he was a high achieving student who was motivated to do well in Engineering but did not want to disappoint his parents. Sami's growing doubts about his career path exacerbated his anxiety and worry, further paralyzing him. All this culminated in dropping of grades and importantly, the fact that he was not engaging in regular student life on campus, which, in turn, exacerbated his depression.

If further information is needed, please do not hesitate to contact us.

Sincerely,



Carla Sharp, Ph.D.
Director, UH-ADAPT
adapt@times.uh.edu



Bilal Niazi <niazi.bilal@gmail.com>

Fwd: ETAM Meeting and No Grade Request

1 message

Sami Niazi <saminiazi@tamu.edu>
To: niazi.bilal@gmail.com

Sun, Mar 3, 2024 at 5:40 PM

----- Forwarded message -----

From: **Sami Niazi** <saminiazi@tamu.edu>
Date: Fri, Oct 20, 2023 at 7:29 PM
Subject: Re: ETAM Meeting and No Grade Request
To: Garza, Paul A <pa-garza@tamu.edu>

Hello Mr. Garza,

Have you received a response yet from the associate Dean regarding the No grade request?

Sincerely,

Sami Niazi
UIN:631006537

On Mon, Oct 2, 2023 at 8:38 AM Garza, Paul A <pa-garza@tamu.edu> wrote:

Hello Sami,

Thanks for keeping up with your no grade.

We just had a advisor meeting where our Associate Dean indicated that no grade submissions will not be decided upon until 2 full semesters are completed (not including summer semesters). So by that statement, the no grade is not to help students immediately drop semester worth of work. It is to review a student's record after the suggested semester requested to no grade and ensure that students have improved their academic performance and heavily consider the no grade request based on extraordinary circumstances outside of the students control.

At this time, it seems they will need to see 2 full semesters (Fall 2023 and Spring 2024) before a no grade decision is made so you planning to apply for ETAM end of this fall a no grade is not likely to be made by then.

P. Adrian Garza, M.A. (*he/him/his*) | Academic Advisor IV
Engineering Advising Services | College of Engineering
ZACH SUITE 481 | College Station, TX 77843-3127
ph: 979.847.8887 | pa-garza@tamu.edu

From: Sami Niazi <saminiazi@tamu.edu>
Sent: Sunday, October 1, 2023 6:11 PM
To: Garza, Paul A <pa-garza@tamu.edu>
Subject: Re: ETAM Meeting and No Grade Request

EXHIBIT

E

Furthermore, can you please give me the status of my No Grade Application?

Sami Niazi

On Sun, Oct 1, 2023 at 2:09 PM Sami Niazi <saminiazi@tamu.edu> wrote:

Hello Mr. Garza,

I'm just double checking to see if you received my email a few days ago, after the meeting at 6 pm was canceled it wouldn't let me set up another meeting.

Sincerely,

Sami Niazi



Bilal Niazi <niazi.bilal@gmail.com>

Fwd: No Grade Request Consideration after 2 Semesters and Advising

1 message

Sami Niazi <saminiazi@tamu.edu>
To: niazi.bilal@gmail.com

Sun, Mar 3, 2024 at 5:40 PM

----- Forwarded message -----

From: **Sami Niazi** <saminiazi@tamu.edu>

Date: Sun, Oct 22, 2023 at 6:46 PM

Subject: No Grade Request Consideration after 2 Semesters and Advising

To: Paul Garza <pa-garza@tamu.edu>

Hello Mr. Garza,

This is Sami Niazi, is there any follow up on the No Grade request and any update from Dr. Price as per our conversation? I will have completed two full semesters after this fall and want the potential results of the No Grade Request to be shown on my ETAM application. I also want to have a meeting but Navigate currently says you're fully booked.

Sincerely,

Sami Niazi
UIN: 631006537

EXHIBIT

F



Bilal Niazi <niazi.bilal@gmail.com>

Fwd: ETAM and No Grade Application

1 message

Sami Niazi <saminiazi@tamu.edu>
To: niazi.bilal@gmail.com

Sun, Mar 3, 2024 at 5:39 PM

----- Forwarded message -----

From: **Sami Niazi** <saminiazi@tamu.edu>
Date: Tue, Dec 19, 2023 at 4:15 PM
Subject: ETAM and No Grade Application
To: Laura Olivarez <laura.olivarez@tamu.edu>

Hello Dr. Olivarez,

This is Sami Niazi (UIN: 631006537). I am writing in reference to our conversation last month concerning my No Grade application and wanted to let you know that my results for Fall 2023 semester have been posted. I wanted to request if the decision on my No Grade application can be made this week. Also, in reference to our conversation last month, if my No Grade application is successful, I could be given another semester (Spring 2024) before ETAM, in place of the No Grade semester.

In making the decision, I wanted to ask if my circumstances during the No Grade semester, and the cumulative progress and improvement since that semester can be taken into consideration.

Looking forward to hearing from you.

Respectfully,

Sami Niazi

EXHIBIT

G



General Engineering Dismissal Notification - Appeal Deadline is Jan. 2nd

1 message

General Engineering Advising Office <enadvising@tamu.edu>
To: saminiazi@email.tamu.edu <saminiazi@email.tamu.edu>

Fri, Dec 22, 2023 at 11:17 AM



TEXAS A&M UNIVERSITY
Engineering

Sent on behalf of Dr. Angie Hill Price, Associate Dean for Undergraduate Programs

12/21/2023

To: Sami Niazi (631006537)

Dear Sami,

In accordance with the [Fourth Semester General Engineering Program Student Policy](#) you are dismissed from the General Engineering program for failure to meet ETAM requirements by the end of your fourth semester. While you are dismissed from the General Engineering program, you may be able to continue your enrollment at Texas A&M University. The most expedited route for continued enrollment requires that you submit a [change of major form](#) **and** be accepted by:

- An engineering major in the College of Engineering at Texas A&M
- A non-engineering major at Texas A&M; <https://us.tamu.edu/Change-of-Major/Information>
- General Studies ([Transition Academic Programs](#)) at Texas A&M

APPEALS

While remaining in general engineering is not the fastest path to a major, if you believe extraordinary circumstances beyond your control influenced your academic performance, you may submit an appeal to remain in-general engineering using the following link: <https://tx.ag/engeappeal>. Appeals must be received **by 5:00 P.M. on January 2nd**. Late appeals will not be accepted.

If you feel any grades you received were assigned on an arbitrary, capricious, or prejudiced basis, you may file a grade appeal. Grounds for successful grade appeals and the necessary steps for the process are outlined in [Student Rule 48](#). If you believe your dismissal was arbitrary, capricious, or prejudiced, you may appeal as explained in [Student Rule 57](#). For help with either type of grade appeal, contact the [Undergraduate Ombuds](#).

-

REGISTRATION FOR NEXT SEMESTER

The appeals committee will meet in January. Their decision will affect your registration for the next term. If you choose not to submit an appeal, or if you fail to submit an appeal by the deadline, all your spring courses will be dropped, and you will be blocked from future registration on **January 8, 2024**. If you submit an appeal and have pre-registered for **spring 24** you may remain enrolled in these courses pending the outcome of your appeal. If your appeal is denied your **spring** classes will be dropped and you will be blocked from registering on or before **January 12, 2024**.

-

WHAT'S NEXT?

- If you have already completed the change of major process and are content with your new major no further action is required.



• If you believe your academic performance was significantly impacted by circumstances beyond your control, you may appeal the Dismissal decision by the deadline of January 12, 2024, using the form at <https://us.tamu.edu/Change-of-Major>. It is imperative that you follow the directions as stated on the appeal form. We will not consider appeals lacking supporting documentation related to your academic performance. All documentation is subject to verification. We will not accept screenshots of text messages or photos of paperwork. Attach documentation as .jpg or .pdf.

• You may seek admission to another **major**. **Majors** vary in terms of their admission criteria. Information about majors and their admissions criteria can be found at <https://us.tamu.edu/Change-of-Major>

• **Majors** vary in terms of their admission criteria. To get help selecting a **major**, contact [Transition Academic Programs](#). It is also advisable to contact academic advisors in departments of your intended **majors** for information about their criteria for accepting students transferring from another **major or college**.

• Although you have been dismissed from your major, there may be an opportunity for continued enrollment through Transition Academic Programs (TAP) as a General Studies (GEST) student. GEST is designed to accommodate students needing one or two semesters to complete requirements necessary to change their major to another degree granting department. Please visit tap.tamu.edu to schedule an appointment with a TAP advisor to see if you qualify for GEST. Even if you plan to appeal your dismissal, you should visit with TAP while you are waiting for a decision on your appeal. Advising appointments and drop-in advising times may vary; visit tap.tamu.edu for more information.

• You may choose to transfer to another academic institution. Some students who do this may choose to seek readmission to Texas A&M University or their previous major at a later date. At Texas A&M, each program of study has specific criteria for readmission. Check with the department where you are seeking readmission for their requirements. Be aware that you are not guaranteed readmission to Texas A&M University or your previous **major**. Check Texas A&M Admissions for details on the [readmission process](#).

• For help in figuring out the next steps and processes involved in appeals or re-admission, fill out the [Student Success Help Desk Dismissal form](#).

• You will find resources at the [Academic Success Center](#), located on the 9th floor of Rudder Tower, designed for students who want to improve academic performance.

If you have any questions about your dismissal, or the dismissal process, contact **the General Engineering Advising office** at enadvising@tamu.edu.

CONCERNS OR QUESTIONS

Texas A&M University cares about your well-being and your success. If you need mental health assistance, [University Health Services \(UHS\)](#) offers counseling support and mental health referral services. You can also call HelpLine at 979-845-2700 or use the [TELUS App](#), which will connect you with a mental health provider.

Sincerely

Dr. Angie Hill Price
Associate Dean for Undergraduate Programs

TEXAS A&M UNIVERSITY

College Station, Texas 77843

UNOFFICIAL ACADEMIC RECORD

29-DEC-2023

Name: Sami K. Niazi (631006537,T02624155)

CURRICULUM INFORMATION

Current Program: Bachelors Degree - Unspecified
College: Engineering
Major: General Engineering
Department: College of Engineering

CREDENTIAL(S) AWARDED

INSTITUTION CREDIT

Fall 2021 - College Station

Engineering - General Engineering

Subj	No.	Course Title	Cred	Grade	Pts	R
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Semester

ARCH	212	SOCIAL & BEHAV FACT DESN	3.000	C	6.000	
ENGR	102	ENGR LAB I COMPUTATION	2.000	C	4.000	
FYEX	101	HULLABALOO U	0.000	S	0.000	
MATH	150	FUNCTNS TRIG & LNR STM	4.000	C	8.000	
POLS	207	STATE & LOCAL GOVT	3.000	Q	0.000	

Term Totals(Undergraduate)

Ehrs: 9.000 GPA-Hrs: 9.000 Qpts: 18.000 GPA: 2.000

Spring 2022 - College Station

Engineering - General Engineering

Subj	No.	Course Title	Cred	Grade	Pts	R
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Semester

ANTH	201	INTRO TO ANTHROPOLOGY	3.000	W	0.000	
CLEN	261	THE ENGINEERING PROFESSION	1.000	W	0.000	
HIST	106	HISTORY OF THE U S	3.000	W	0.000	
MATH	151	ENGINEERING MATH I	4.000	W	0.000	
POLS	206	AMER NATNL GOVT	3.000	W	0.000	

Term Totals(Undergraduate)

Ehrs: 0.000 GPA-Hrs: 0.000 Qpts: 0.000 GPA: 0.000

Summer 2022 - College Station

Engineering - General Engineering

Subj	No.	Course Title	Cred	Grade	Pts	R
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2nd Summer Session

COMM	203	PUBLIC SPEAKING	3.000	F	0.000	
POLS	207	STATE & LOCAL GOVT	3.000	A	12.000	

Term Totals(Undergraduate)

Ehrs: 3.000 GPA-Hrs: 6.000 Qpts: 12.000 GPA: 2.000

Fall 2022 - College Station

Engineering - General Engineering

Subj	No.	Course Title	Cred	Grade	Pts	R
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Semester

CHEM	107	GEN CHEM FOR ENGINEERS	3.000	F	0.000	A
CHEM	117	GEN CHEM FOR ENGR LAB	1.000	F	0.000	A
MATH	151	ENGINEERING MATH I	4.000	F	0.000	A

Term Totals(Undergraduate)

Ehrs: 0.000 GPA-Hrs: 8.000 Qpts: 0.000 GPA: 0.000

Spring 2023 - College Station

Engineering - General Engineering

Subj	No.	Course Title	Cred	Grade	Pts	R
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Semester

ARTS	150	ART HISTORY SURVEY II	3.000	A	12.000	I
CHEM	107	GEN CHEM FOR ENGINEERS	3.000	B	9.000	I
CHEM	117	GEN CHEM FOR ENGR LAB	1.000	B	3.000	I
GEOG	301	GEOGRAPHY OF THE U S	3.000	A	12.000	
MATH	151	ENGINEERING MATH I	4.000	C	8.000	I

Term Totals(Undergraduate)

Ehrs: 14.000 GPA-Hrs: 14.000 Qpts: 44.000 GPA: 3.142

Summer 2023 - College Station

Engineering - General Engineering

Subj	No.	Course Title	Cred	Grade	Pts	R
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1st Summer Session

POLS	206	AMER NATNL GOVT	3.000	A	12.000	
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2nd Summer Session

GEOL	207	DINOSAUR WORLD	3.000	A	12.000	
HLTH	236	INTRO HLTH DISPAR & DIVERSITY	3.000	A	12.000	

Semester

MATH	152	ENGINEERING MATH II	4.000	Q	0.000	
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Term Totals(Undergraduate)

Ehrs: 9.000 GPA-Hrs: 9.000 Qpts: 36.000 GPA: 4.000

Fall 2023 - College Station

Engineering - General Engineering

Subj	No.	Course Title	Cred	Grade	Pts	R
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Semester

ARCH	250	SURVEY WORLD ARCH HIS II	3.000	B	9.000	
ARTS	150	ART HISTORY SURVEY II	3.000	A	0.000	E
ENGR	216	EX PHYS ENGR LAB II MECHANICS	2.000	B	6.000	
MATH	152	ENGINEERING MATH II	4.000	D	4.000	
PHYS	206	NEWTONIAN MECHANICS ENGR & SCI	3.000	C	6.000	

Term Totals(Undergraduate)

Ehrs: 12.000 GPA-Hrs: 12.000 Qpts: 25.000 GPA: 2.083

TRANSCRIPT TOTALS

TEXAS A&M UNIVERSITY
College Station, Texas 77843

UNOFFICIAL ACADEMIC RECORD

29-DEC-2023

Name: Sami K. Niazi (631006537,T02624155)

Undergraduate Totals

	<i>Earned Hours</i>	<i>GPA Hours</i>	<i>Points</i>	<i>GPA</i>
<i>TOTAL INSTITUTION</i>	<i>47.000</i>	<i>58.000</i>	<i>135.000</i>	<i>2.327</i>
<i>TOTAL TRANSFER</i>	<i>0.000</i>	<i>0.000</i>	<i>0.000</i>	<i>0.000</i>
<i>OVERALL</i>	<i>47.000</i>	<i>58.000</i>	<i>135.000</i>	<i>2.327</i>



Student Rules
TEXAS A&M UNIVERSITY

10. Grading

(Revised: 2023)

10.1 The course instructor must make available the following information to the class by the first class period:

- A statement of the nature, scope and content of the subject matter to be covered in the course.
- All course prerequisites as listed in the catalog.
- All required course text(s) and material.
- The grading rule, including weights as applicable for exams, laboratory assignments, field student work, projects, papers, homework, class attendance and participation and other graded activities in the calculation of the course grade. If more than 10% of any grading scheme is based on participation, the course instructor should explicitly define and outline how this grade is determined. No such rule should be in contradiction to other provisions of the University Student Rules.

This requirement can be met by posting on the Howdy Portal.

10.2 The student's semester grade shall be based upon the grading rule statement in 10.1 (above). No such rule should be in contradiction to other provisions of the University Student Rules.

For information on contesting an assigned grade, see **Part III, Student Grievance Procedures, 48. Grade Disputes (<https://student-rules.tamu.edu/rule48>)**.

10.3 There are twelve grades. The five passing grades at the undergraduate level are, A, B, C, D and S, representing varying degrees of achievement; these letters carry grade points and significance as follows:

EXHIBIT
J

Assigned by the instructor:

- A: Excellent, 4 grade points per semester hour
- B: Good, 3 grade points per semester hour
- C: Satisfactory, 2 grade points per semester hour
- D: Passing, 1 grade point per semester hour
- F: Failing, no grade points, hours included in GPA
- I: Incomplete, no grade points (hours not included in GPA)

Grades assigned if student is taking an undergraduate course S/U:

- S: Satisfactory (C or above), hours not included in GPA
- U: Unsatisfactory (D or F), no grade points, hours included in GPA)

Other:

- X: No grade submitted, see 10.7
- Q: Dropped course with no penalty, requires Dean or designee's permission, see **1.17** (**<https://student-rules.tamu.edu/rule01#1.17>**)
- W: Dropped course(s) with no penalty during the semester enrolled, hours not included in GPA, requires Dean or designee's permission, see (1.7, 1.18, 7.8, and 17)
- NG: No Grade. Administrative removal of posted grades requires approval by the **Dean or designee** (**<https://us.tamu.edu/faculty-staff/deans-delegates>**) of the college in which the student was enrolled during the semester in which the courses were taken. A NG requires extensive documentation of the extraordinary circumstances justifying the No Grade. The instructor of record, or the instructor's department head if the instructor is unavailable, will be consulted during the process. The registrar will, if possible, notify the instructor of record, and in any event will notify the instructor's department head, whenever a NG is issued.

10.4 Passing grades for graduate students are A, B, C and S.

10.4.1 Grades of S or U may be assigned in certain officially designated courses. Graduate courses on the degree plan may not be taken on an S/U basis, except for courses bearing the numbers 681, 684, 690, 691, 692, 693, 695, 697, 791, or unless otherwise noted in the catalog. Graduate courses not on the degree plan may be taken on an S/U basis.

10.4.2 Only grades of A, B, C and S are acceptable for graduate credit. Grades of D, F or Unsatisfactory (U) for courses on the degree plan must be absolved by repeating the courses and achieving grades of C or above or Satisfactory (S). If a course has been taken more than once and a grade of D or F was earned and then repeated for a grade of C or higher, the original grades of D or F will be excluded from the GPA calculation for the degree plan (if applicable) and cumulative GPA, but remain on the student's permanent record.

A course in which the final grade is C may be repeated for a higher grade. If the second grade is higher, the original grade will be excluded from the GPA calculation for the degree plan (if applicable) and cumulative GPA, but remain on the student's permanent record.

Repeat grades and cumulative GPA for financial aid programs may differ from those listed above, based on the type of aid.

Rules related to F* grades and repeat courses may be found in Student Rule 20 under Sanctions.

10.4.3 Graduate students must maintain a grade point (GPA) of 3.00 (B average based on a 4.00 scale) for all courses which are listed on the degree plan and for all graded graduate and advanced undergraduate coursework (300- and 400-level) completed at Texas A&M and eligible to be applied toward a graduate degree. Those involving grades of W-drop (W), Satisfactory (S), Unsatisfactory (U) and Q-drop (Q) shall be excluded.

If either of a student's cumulative GPA or the GPA for courses listed on the degree plan falls below the minimum of 3.00, he or she will be considered to be scholastically deficient. If the minimum GPA is not attained in a reasonable length of time, the student may be dropped from graduate studies. The procedures for dismissal are explained in the Texas A&M University Student Rules, Scholastic Deficiency/Probation, rule 12. Departments or colleges may adopt specific guidelines pertaining to scholastic deficiency or dismissal.

10.5 Grades assigned to first professional students are established by the first professional degree program in which the student is enrolled and are described below. Grading policies are also unique to each first professional degree program and these policies are described below as well.

10.5.1 Doctor of Dental Surgery Degree Program (School of Dentistry)

10.5.1.1 Dental students may be assigned A, B, C, F, S, U, W, and I grades (see 10.3 above)

10.5.1.2 Grades of X, Q, and NG are not assigned to dental courses.

10.5.1.3 Grades other than the U, F and W grades are passing grades.

10.5.1.4 Grades of U or F must be absolved by repeating the courses and achieving a grade of S or for a graded course C or above. With approval of the Student Promotions Committee, students may repeat course, but will be dismissed if they fail a required course twice.

10.5.1.5 When successfully remediating a course, the original grade and the replacement grade are included on the transcript and are used to calculate the cumulative GPA.

10.5.1.6 Students earning F grade totaling seven (7) any one academic year or sixteen (16) or more hours of coursework during their entire course of the study at the School of Dentistry may be dismissed.

10.5.1.7 If a dentistry student's semester GPA (for year 1) or cumulative GPA falls below a 2.00, he or she is considered scholastically deficient and may be dismissed as explained in the Texas A&M University Student Rules, Scholastic Deficiency/Probation, rule 12.

10.5.1.8 Grading processes specific to the School of Dentistry are further explained in the Academic and Disciplinary Due Process for Predoctoral and Dental Hygiene Students.

10.5.2 Doctor of Medicine Degree Program (School of Medicine)

10.5.2.1 In addition to A, B, C, D, S, U, I and W grades (see 10.3 above), medical students may be assigned the following letter grades:

- H: Honors, 4 grade points per semester hour
- HP: High Pass, 3.5 grade points per semester hour
- P: Pass, 3 grade points per semester hour
- F: Fail, 0 grade points per semester hour
- F/P: Failed course, remediated, 1 grade point per semester hour
- U/S: Failed course, remediated. S, U, U/S grades are not used to calculate the student's cumulative GPA.

10.5.2.2 Grades of Q are not assigned to medical courses.

10.5.2.3 Only grades of H, HP, P, and S are passing grades. Grades of F must be resolved by remediating or repeating the courses and achieving a grade of F/P. Grades of U must be resolved by remediating or repeating the course and achieving a grade of U/S.

10.5.2.4 When successfully repeating a course, the original F or F/P grade and the grade in the repeated course are indicated on the transcript and are used to calculate the student's cumulative GPA.

10.5.2.5 A temporary grade of incomplete (I) for a course/clerkship at the end of a course/clerkship usually indicates that the student has completed the course with the exception of some portion of work. The instructor shall give an incomplete grade when the deficiency is due to an authorized absence or other cause beyond the control of the student or when all but a single component of the course/clerkship has been completed. The grade will be changed to a P/F/HP/H when the course requirements are complete.

10.5.2.6 Grading processes specific to the School of Medicine are further explained in the School of Medicine Student Handbook.

10.5.3 Doctor of Pharmacy Program (Irma Lerma Rangel College of Pharmacy)

10.5.3.1 Grades of Q and NG are not assigned to pharmacy courses.

10.5.3.2 Only grades of A, B, C and S are passing grades. Grades of D, F or U for core courses and elective courses taken for credit must be corrected by remediating or repeating the course(s) and achieving a grade(s) of C or above or S.

10.5.3.3 When successfully remediating or repeating a core or elective course(s), the original grade and the replacement grade are indicated on the transcript and are used to compute the cumulative GPA.

10.5.3.4 If a pharmacy student's cumulative GPA falls below a 2.30, he or she is considered scholastically deficient and may be placed on academic probation or dismissed as explained in the Texas A&M University Student Rules, Scholastic Deficiency/Probation, rule 12 and in the current student handbook for the College of Pharmacy.

10.5.3.5 A temporary grade of "I" indicates that a student has satisfactorily completed most of the requirements for a course with the exception of a major examination or other requirement. This grade is assigned only when there is a valid reason beyond a student's control (e.g., illness, accident). The "I" grade is converted to an A, B, C, D, F, S or U grade upon completion of course requirements, which must be by the first month of the next regular semester. An "I" grade is computed as an F grade, unless changed to a final passing grade, and cannot be removed from the transcript if the remaining course requirements are not completed within a calendar year following the semester in which the "I" grade was assigned.

10.5.3.6 Grading processes specific to the College of Pharmacy are further explained in the current student handbook.

10.5.4 Doctor of Veterinary Medicine (College of Veterinary Medicine and Biomedical Sciences)

10.5.4.1 Grades assigned to veterinary students are outlined in section 10.3 above.

10.5.4.2 Grades of A, B, C, D and S are passing grades, although only a limited number of D grades are permitted.

10.5.4.3 An S grade will not be included in the computation of a student's cumulative GPA, but a U grade will be computed as F grade.

10.5.4.4 When a student repeats or remediates a veterinary medicine course, grades for the original course and its replacement are both used by the University and the College to compute the GPA and are recorded on the student's transcript.

10.5.4.5 A temporary grade of "I" indicates that the student has completed a course with the exception of a major examination or other requirement. This grade is given only when the deficiency is due to excused/authorized absences. An incomplete grade is reported to the Associate Dean for Professional Programs. The written report shall include:

- A statement of the basis for recording the incomplete grade; and
- A statement defining the remaining work to be completed. The work must be completed prior to the next academic term in which the student is registered, unless the Associate Dean for Professional Programs grants an extension of time for good reason. If the work is not completed within this period or, if the student registers for the same course again, the "I" is changed to an F by the Registrar. Students must clear all "I" grades prior to advancing to the fourth year of the professional curriculum and prior to graduation.

10.5.5 Juris Doctor Degree Program (School of Law)

10.5.5.1 In addition to A, B, C, D, F, W and I grades (see 10.3 above), law students may be assigned the following letter grades:

- A+ : 4.01 grade points per semester hour
- A- : 3.67 grade points per semester hour
- B+ : 3.33 grade points per semester hour
- B- : 2.67 grade points per semester hour
- C+ : 2.33 grade points per semester hour
- C- : 1.67 grade points per semester hour
- D+ : 1.33 grade points per semester hour
- D- : 0.67 grade points per semester hour
- P : Pass, hours not included in the GPA
- F : Fail, no grade points, hours included in the GPA

10.5.5.2 Grades of X, Q, and NG are not assigned to law school courses.

10.5.5.3 Grades other than an F are acceptable for credit for law school courses. A grade of F is included in the calculation of the grade point.

10.5.5.4 If a temporary grade of I is assigned by an instructor, a letter grade must be awarded no later than six calendar months from the last date of exams for the applicable semester. Unless permitted by the Academic Standards Committee the maximum grade given for an I can be no higher than the maximum class GPA for that course. After six months, an unresolved I becomes an F (0.00).

10.5.5.5 Students enrolled in the J.D. program must maintain a cumulative minimum grade point of 2.33 in order to be granted a degree.

10.5.5.6 If a student's cumulative GPA falls below a 2.33 after the second semester, he or she is considered scholastically deficient and will be dismissed from the J.D. program, subject to appeal to the Academic Standards Committee. The procedures for dismissal are explained in the Texas A&M University Student Rules, Scholastic Deficiency/Probation, rule 12, and in the School of Law student handbook.

10.5.5.7 If a student fails a lockstep or an advanced required course, the course must be repeated. A student may repeat an elective course in which an F is recorded. The grade for a repeat of a failed course is P or F. The original grade remains on the transcript and is calculated in the cumulative grade point average.

10.5.5.8 After grades have been posted to a student's record, grades are final and may not be changed except with permission of the Academic Standards Committee. A request for a grade change must be made within 90 days after the official posting of the grade.

10.5.5.9 Grading processes specific to the law school are further explained in the School of Law student handbook.

10.6 A temporary grade of I (incomplete) at the end of a semester or summer term indicates that the student has completed the course with the exception of a major quiz, final examination, or single major assignment. The instructor shall give this grade only when the deficiency is due to an approved university excused absence (see Rule 7 of TAMU Student Rules), when a case of potential academic misconduct involving the student is pending with the Aggie Honor System Office, or based on criteria published in the Law School Student Handbook. Each instructor awarding an incomplete grade must complete an "Incomplete Grade Report," which will be filed with the department head or designee of the department offering the course. Copies will also be sent to the student and to the student's **academic dean or designee (<https://us.tamu.edu/faculty-staff/deans-delegates>)**. An incomplete must be removed before the last day of scheduled classes of the next long semester in which the student enrolls in the university unless the student's academic dean or designee, with the consent of the instructor, grants a time extension. Students in law (JD), medicine (MD), dentistry (DDS), pharmacy (PharmD), nursing (RN), dental hygiene (BS) and veterinary medicine (DVM) may have a different deadline for completion of incompletes as published in student handbooks. In the absence of the instructor, the department head may grant a time extension. Failure to complete the required work in the appropriate period of time, or registering for the course again, will result in the I being changed to an F by the Registrar. Grades of I assigned to 684 (Professional Internships), 691 (Research), 692 (Professional Study), or 693 (Professional Study) are excluded from this rule.

In accordance with Title IX of the Educational Amendments of 1972, Texas A&M University shall treat pregnancy (childbirth, false pregnancy, termination of pregnancy and recovery therefrom) and related conditions as a justification for an excused absence for so long a period of time as is deemed medically necessary by the student's physician. Requests for leave of absence related to pregnancy should be directed to the instructor; questions about Title IX should be directed to the Title IX Coordinator.

10.7 The X notation is assigned to a course by the Registrar at the end of a semester or summer term only when a grade is not submitted by the instructor. The Registrar will notify the **Dean or designee (<https://us.tamu.edu/faculty-staff/deans-delegates>)** of the college in which the course is taught that an X notation has been made. The Dean or designee of the college offering the course will request, through the department head, that the instructor, at the beginning of the succeeding semester or summer term, remove the X notation and assign a letter grade with a Grade Change Report. The instructor will have 30 days from the beginning of the succeeding semester or summer term to report a change of grade to the registrar. If a Change of Grade Report is not received during this time period, the registrar will automatically remove the X notation and assign a grade of F. Grades of X assigned to 684 (Professional Internship), 691 (Research), or 692 (Professional Study) are excluded from this rule.

10.8 An instructor may change a student's grade by submitting a Grade Change Report to the Registrar.

10.8.1 A grade may be changed up to one year after the submission of the final grades for a given semester. This change requires the approval and signature of the department head or the dean of academic affairs for first professional programs as well as the instructor.

10.8.2 After one year, a grade change must have the approval and signature of the student's **Dean or designee (<https://us.tamu.edu/faculty-staff/deans-delegates>)** in addition to the signatures of the instructor and department head or the dean of academic affairs for first professional programs.

10.8.3 Anytime a grade is lowered, the Grade Change Report must have the approval and signature of the student's **Dean or designee (<http://us.tamu.edu/Faculty-and-Staff/Deans%E2%80%99-Delegates>)** in addition to the instructor and department head or the dean of academic affairs for first professional programs.

10.8.4 Grade changes for faculty members who are unavailable, or are no longer employed at Texas A&M University, require the approval of the department head or the dean of academic affairs for first professional programs and the **Dean or designee (<https://us.tamu.edu/faculty-staff/deans-delegates>)** of the college.

10.9 All grades shall be reported to the Registrar promptly on the date specified in the call for grades. All final grades shall be due not less than 72 hours after the end of the examination period with the exception of graduating and first professional students.

10.10 Only the grade made in course work for which the student was registered in this institution shall be used in determining his or her grade point average.

10.11 An undergraduate student's cumulative grade point average for any period shall be computed by dividing the total number of semester hours for which he or she received grades into the total number of grade points earned in that period. Semester credit hours to which grades of F or U are assigned shall be included; those involving grades of W, Q, S, X, I and NG are excluded.

10.11.1 (Removed May 2013)

10.12 Students registered for KINE 198 and KINE 199, wishing to change the grade type from a graded course to S/U or from S/U to a graded course may do so by selecting the "My Record" tab on the Howdy website at **<http://howdy.tamu.edu> (<https://howdy.tamu.edu>)**, then by selecting "Change Kine 198/199 Grade Type" in the "Registration" box. All requests for KINE 198 and KINE 199 changes must be accomplished on or before the Q-drop deadline for the fall, spring or summer semester.

10.13 Undergraduate students:

10.13.1 Undergraduate students may be permitted to take courses in their degree programs at Texas A&M University on a satisfactory/unsatisfactory (S/U) basis consistent with the requirements of the student's college.

10.13.2 The hours for which a student receives a grade of "satisfactory" shall not be included in the computation of the student's semester or cumulative grade point average; a grade of "unsatisfactory" shall be included in the computation of the student's grade points per credit hour as an F. A grade of "satisfactory" will be given only for grades of C and above; a grade of "unsatisfactory" will be given for grades D and F.

10.13.3 Students on probationary standing may be required to take electives on an S/U basis as determined by published college rules.

10.14 Graduate students:

10.14.1 Graduate students will not receive graduate degree credit for undergraduate degree courses taken on a satisfactory/unsatisfactory basis. Graduate students may take any graduate courses that are not used on their degree plans on an S/U basis.

10.14.2 A grade of "satisfactory" (S) will be given only for grades of A and B in graduate courses and for grades of C and above in undergraduate and professional courses; a grade of "unsatisfactory" (U) will be given for grades of C and below in graduate courses and for D and F grades in undergraduate and professional courses.

10.14.3 S/U grades are not included in the grade point average calculation for graduate students.

10.14.4 Courses numbered 681, 684, 690, 691, 692, 693, 695, 697, 791 and SOPH 680 are graded on an S/U basis only.

10.15 Near the middle of the fall and spring semesters, a preliminary report, showing the current progress of all undergraduate students who have completed less than 30 semester credit hours of course work at Texas A&M University, will be made available. Preliminary grades are not recorded on the student's permanent record.

10.16 At the close of each semester, a final report of the student's semester grades will be made available to the student at [**http://howdy.tamu.edu**](http://howdy.tamu.edu) ([**http://howdy.tamu.edu**](http://howdy.tamu.edu)). Students may create a parent password which enables parents or guardians to access grade information.

10.17 No student grade that is personally identifiable may be posted unless the student has given written consent in advance.

10.18 An undergraduate student is making satisfactory academic progress when he or she is meeting university, college and major field of study grade point requirements.

10.19 Unless otherwise stated, students in graduate degree programs and post-baccalaureate non-degree students (G6 classification) must maintain a 3.00 cumulative GPA (computed as specified in section 10.4.3). Degree-seeking students also must maintain a GPA of at least 3.00 on all courses listed on the degree plan. Departments and colleges may establish higher GPA requirements for their students in graduate degree programs and for post-baccalaureate non-degree students (G6 classification).

10.20 Any undergraduate student who wishes to repeat a course must do so before he or she completes a more advanced course in the same subject. What constitutes a more advanced course will be determined by the head of the department offering the course.

10.21 When a course is repeated by an undergraduate student in an attempt to earn a grade higher than C, D, F, or U, only the highest grade will be used for the degree audit. However, the grades for all courses taken in residence at Texas A&M University will remain on the student's permanent record. A student's cumulative GPA will include all graded courses except courses excluded under the First Year Grade Exclusion Policy. The ability to exercise First Year Grade Exclusion was eliminated on August 23, 2013. An undergraduate student may attempt a course no more than three times, including courses graded Q or W but excluding these graded NG, unless approval has been received from both the student's **Dean or designee (<https://us.tamu.edu/faculty-staff/deans-delegates>)** and the department offering the course.

10.22 A student repeating a course completed at Texas A&M University in which a grade of B or better has been earned will not receive grade points for the repeated course, unless the catalog states the course may be repeated for credit.

10.23 For graduate students, grades of D, F or Unsatisfactory (U) for courses on the degree plan must be absolved by repeating the course(s) and achieving grades of C or above or Satisfactory (S). A course in which the final grade is a C may be repeated for a higher grade. Those involving grades of W, Q, S, U, X, I or NG are excluded.

Propose a Student Rule Revision (<https://student-rules.tamu.edu/propose/revision/?title=Grading§ion=>)



Student Rules

TEXAS A&M UNIVERSITY

48. Grade Disputes

(Revised: 2015)

The decision as to which procedure to utilize for a grievance filed by a student shall be made solely by the university and shall be based on the fact pattern of each particular case. Each grievance shall be directed to a specific procedure and shall be accorded only one opportunity to be adjudicated unless the appeal body remands for further review.

48.1 Rules

The instructor of the class is the primary authority with respect to a student's proficiency and final grade in that course. Final grade determination shall be consistent with **Student Rule 10 Grading** (<https://student-rules.tamu.edu/rule10>).

48.2 Scope

A student may appeal an adverse decision concerning a final grade on the grounds that the respondent's decision was arbitrary, capricious or prejudicial. In the appeal process, the burden of proof shall be upon the student.

48.3 Definitions

In this rule, the following words have the following definitions and no other:

"Adverse decision" means a decision by a faculty member or administrator that negatively impacts the student and for which the student wishes to pursue a grievance under this rule.

"Arbitrary" means no reasonable factual basis for reaching the conclusion or taking the action.

"Capricious" means unpredictable and subject to whim.

EXHIBIT

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"Faculty" means an individual holding a position in which the primary title includes the word "professor," "instructor," "lecturer," or "librarian" regardless of other rank of appointment qualifiers associated with the title. Appointments with the word "dean" or "provost" with or without a specified faculty rank higher than assistant professor are normally tenured faculty appointments.

"Final Grade" means a grade assigned by the instructor at the end of an academic term as defined in Student Rule 10 Grading. This does not include other grade designations of I, X, Q, W, and NG.

"May" means a condition that is not required to be met; it is discretionary. Contrast "shall."

"Prejudicial" means irrational attitude of hostility directed against an individual. This does not include hostility on the basis of any legally protected status that is addressed through Student Rules 45 – 47.

"Respondent" means the faculty member, instructor, or administrator who made the decision.

"Shall" means a condition that must be met. Contrast "may."

"Student" means an individual undergraduate student enrolled at the university who is the subject of an adverse academic decision.

48.4 Grievance Procedures

48.4.1 This process does not apply to academic misconduct cases. Academic misconduct cases are appealed in the **Aggie Honor System Office (<http://aggiehonor.tamu.edu/>)**.

48.4.3 An undergraduate student who believes that his or her final grade reflects a capricious, arbitrary, or prejudiced academic evaluation must follow the resolution procedures and deadlines as described in **Student Rule 57 Undergraduate Academic Appeals Panel (<https://student-rules.tamu.edu/rule57>)**.

48.4.4 A graduate or professional student who believes that his or her final grade reflects a capricious, arbitrary, or prejudiced academic evaluation must follow the resolution procedures and deadlines described in **Student Rule 59 Graduate Academic Appeals Panel (<https://student-rules.tamu.edu/rule59>)**.

Propose a Student Rule Revision ([https://student-rules.tamu.edu/propose/revision/?title=Grade Disputes§ion=](https://student-rules.tamu.edu/propose/revision/?title=Grade%20Disputes§ion=))



Student Rules

TEXAS A&M UNIVERSITY

57. Undergraduate Academic Appeals Panel

(Revised: 2023)

The decision as to which procedure to utilize for a grievance filed by a student shall be made solely by the university and shall be based on the fact pattern of each particular case. Each grievance shall be directed to a specific procedure and shall be accorded only one opportunity to be adjudicated unless the appeal body remands for further review.

57.1 Scope. The Undergraduate Academic Appeals Panel (UAAP) will hear appeals stemming from adverse academic decisions involving: a) disputes over an unauthorized absence determination, b) disputes over final course grades, c) dismissal from a college/school or major for scholastic deficiency, or d) suspension from the university for scholastic deficiency. The UAAP does not hear appeals involving:

57.1.1 Academic Misconduct. Actions stemming from academic misconduct, and any appeal of that action, should be referred to the Aggie Honor System Office.

57.1.2 Discrimination. Student Rule 45 (Discrimination and Discrimination Appeals) should be used for grievances concerning race, color, sex, gender identity, age, religion, disability, national origin, immigration status, citizenship status, sexual orientation, genetic information, or veteran status.

57.1.3 Sexual Harassment. Student Rule 47 (Sexual Harassment) should be used for grievances concerning sexual harassment when the alleged offender is a current student or employee of the university.

57.1.4 Disability Accommodations in Academic Programs. Student Rule 46 (Disability Accommodations in Academic Programs) should be used for grievances concerning disability accommodations in academic programs.

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57.1.5 Extenuating Circumstances. Students seeking academic accommodation for extenuating circumstances should consult with their dean (or designee) as described in Student Rules 10 (Grading) and 17 (Withdrawal Procedures).

57.1.6 Eligibility. The eligibility to obtain a hearing before the UAAP means that the student seeking a hearing has complied with all prerequisites as set forth in this rule.

57.2 Definitions. In this rule, the following words have the following definitions and no other:

"Adverse decision" means a decision by a faculty member or administrator that negatively impacts the student and for which the student wishes to pursue a grievance under this rule.

"Arbitrary" means no reasonable factual basis for reaching the conclusion or taking the action.

"Assertion" means a contention or theory about the existence of some state of being. An assertion is established or disproved by information.

"Capricious" means unpredictable and subject to whim.

"Credible" means believable by a reasonable person.

"Information" means material by which an alleged fact is established or disproved. Information establishes or disproves an assertion.

"Faculty" means an individual holding a position in which the primary title includes the word "professor," "instructor," "lecturer," or "librarian" regardless of other rank of appointment qualifiers associated with the title.

Appointments with the word "dean" or "provost" with or without a specified faculty rank higher than assistant professor are normally tenured faculty appointments.

"Final Grade" means a grade assigned by the instructor at the end of an academic term as defined in Student Rule 10 (Grading). This does not include other grade designations of I, X, Q, W, and NG. "May" means a condition that is not required to be met; it is discretionary.

Contrast "shall." "Parties" means the student or the respondent.

"Prejudicial" means irrational attitude of hostility directed against an individual. This does not include hostility on the basis of any legally protected status that is addressed through Student Rules 45 – 47.

"Preponderance of information" means the greater weight of credible information submitted in the hearing. For a fact to be established by a preponderance of the information the UAAP must find the fact is more likely true than not true.

"Respondent" means the faculty member, instructor, or administrator that made the decision.

"Shall" means a condition that must be met.

Contrast "may." "Some credible evidence" means a quantity of evidence that is believable by a reasonable person.

"Student" means an individual undergraduate student enrolled at the university that is the subject of an adverse academic decision.

"Unauthorized absence" means an absence from a class or required class activity that is not considered excused as defined in Student Rule 7 (Attendance).

57.3 Membership.

The pool of faculty and undergraduate students from which a UAAP will be formed shall be appointed by the President or designee. A quorum consists of a faculty chair, three (3) faculty members, and two (2) undergraduate students. See section 57.5.5.1 regarding the voting rights of the chair.

57.4 Preliminary Resolution Procedures.

To be eligible for a hearing before the UAAP, the student shall first complete in its entirety the applicable preliminary resolution procedure described below.

57.4.1 Preliminary Resolution Procedure—Disputes Over an Unauthorized Absence

Determination or Disputes over Final Grades.

57.4.1.1 Respondent Review.

- The student shall request in writing a review by the respondent.
- The student shall inform the respondent of any concerns about the adverse decision and communicate how and why the decision is arbitrary, capricious, or prejudicial.
- The respondent must fully inform the student about the grounds for and process used in reaching the decision.
- The aim of this review is for: (1) the student to communicate how and why the decision is arbitrary, capricious, or prejudicial; (2) the instructor to communicate how and why the decision is not arbitrary, capricious, or prejudicial; and (3) the instructor to correct errors, if any, in the decision.
- The respondent shall provide a written response to the student as soon as practicable detailing the grounds for the decision.

57.4.1.2 Department Review. If the student does not receive a satisfactory outcome at the conclusion of the respondent review, the student shall request in writing a review by the department head (or designee) of the department offering the course informing the department head (or designee) of any concerns about the adverse decision and communicating how and why the decision is arbitrary, capricious, or prejudicial. The department head (or designee) shall provide a written response to the student and the respondent as soon as practicable detailing the grounds for the decision.

57.4.1.3 College/School Review. If the student does not receive a satisfactory outcome at the conclusion of the department review, The student shall request in writing a review by the dean (or designee) of the college/school having administrative oversight of the department offering the course informing the dean (or designee) of any concerns about the adverse decision and communicating how and why the decision is arbitrary, capricious, or prejudicial. The dean (or designee) shall provide a written response to the student, the original respondent, and the department head (or designee) as soon as practicable detailing the grounds for reaching the decision; how and why the previous decision should stand or be revoked; and describing changes, if any, in the previous decision.

57.4.2 Preliminary Resolution Procedure—Dismissal from a College/School or Major for Scholastic Deficiency.

57.4.2.1 College/School Review. The student shall request in writing a review by their dean (or designee) informing the dean (or designee) of any concerns about the adverse decision and communicating how and why the decision is arbitrary, capricious, or prejudicial.

57.4.3 Preliminary Resolution Procedure—Suspension from the University for Scholastic Deficiency. No preliminary resolution procedure is required for appeals of suspension from the university for scholastic deficiency.

57.5 Formal Resolution Procedure. If, after completing all required steps in the applicable preliminary resolution procedures section, the student believes the outcome is unsatisfactory, the student may seek a hearing before the UAAP. To be eligible to receive a hearing before the UAAP, a student must complete and file an Undergraduate Academic Appeals Panel Hearing Request Form with the Office of Undergraduate Studies. The form is available on the Undergraduate Studies website (click link **here (https://us.tamu.edu/Students/Academic-appeals-Form)**).

57.5.1 Chair Review. Upon receipt of an Undergraduate Academic Appeals Panel Hearing Request Form, the Office of Undergraduate Studies shall deliver a copy of the form and all attachments to the chair of the UAAP. The chair shall review the materials to determine if the student has provided some credible information that, if left uncontested in the UAAP hearing, convinces the chair that the UAAP could conclude the adverse decision was arbitrary, capricious, or prejudicial.

57.5.1.1 If the student has not provided some credible information that, if left uncontested in the UAAP hearing, convinces the chair that the UAAP could conclude the adverse decision was arbitrary, capricious, or prejudicial, the chair shall notify the student and Office of Undergraduate Studies in writing that the student's request for a UAAP hearing is rejected. The chair's decision is final.

57.5.1.2 If the student has provided some credible information that, if left uncontested in the UAAP hearing, convinces the chair the UAAP could conclude the adverse decision was arbitrary, capricious, or prejudicial, the chair shall notify the student and Office of Undergraduate Studies in writing that the student's request for a UAAP hearing is granted and request scheduling of a hearing.

57.5.2 Pre-Hearing Procedures.

57.5.2.1 If a hearing is granted, the chair shall forward a copy of the student's Undergraduate Academic Appeals Panel Hearing Request Form and all attachments to the respondent and, as appropriate, the respondent's department head and dean (or designee).

57.5.2.2 The chair shall notify the student and respondent of the time, date, and location of the hearing. The hearing should not be scheduled less than five (5) university business days after the hearing request form and attachments are sent to the respondent. The notice of hearing should include a list of potential panel members. At the chair's discretion, if a potential panel member cannot be a fair and impartial panelist, the panel member may be excused from that hearing.

57.5.2.3 The respondent(s) shall submit to the chair and student a list of the names of any persons with independent, first-hand knowledge of the case or other pertinent information who wish to be present at the hearing. The respondent(s) shall also provide to the chair and the student copies of all documents to be submitted for consideration by the UAAP. The list of names and the documents the respondent(s) wish to provide shall be submitted no later than three (3) university business days prior to the hearing. The failure to meet this deadline shall result in the exclusion of the persons listed or documents from the hearing.

57.5.2.4 If, after receiving the list provided by the respondent(s), the student wants to add additional persons with independent, first-hand knowledge of the case or other pertinent information or documents to those already submitted with the hearing request form, the student shall submit to the chair and respondent(s) the additional documents and a list of names not less than two (2) university business days prior to the hearing. The failure to meet this deadline shall result in the persons listed and documents being excluded from the hearing unless the respondent(s) agrees to waive the deadline or the chair decides the additional documents and persons listed will be allowed.

57.5.3 Appeal Hearing.

57.5.3.1 The chair shall assemble a quorum of panelists to hear the student's appeal. Prior to the hearing the panel may be briefed about the identity of the parties to the hearing (student and respondent(s)), the general subject matter of the hearing, and the potential speakers. However, the panel may not be given any documentary information or written statements prior to the hearing. The panel must make its decision based solely on the information presented by the parties during the hearing. The panel members shall neither engage in any independent investigation outside of the hearing nor consider any information obtained outside of the hearing.

57.5.3.2 The hearing will be conducted in a manner conducive to ascertaining the facts of the case. The student and respondent shall be provided a reasonable opportunity to: (a) be present and hear all arguments and oral statements made to the panel during the hearing; (b) make arguments, present oral statements and written documents, and hear from persons brought in by either party—so long as the presentation of material is relevant (as determined by the chair) to the stated grounds for the appeal; and (c) ask questions of any person brought in by either party.

57.5.3.3 Each party may be accompanied at the hearing by one advisor. Any student who is involved in the same fact pattern or who is not in good standing with the University is not eligible to serve as an advisor at UAAP hearings. An advisor may not represent the party, direct questions to the chair or panel, participate in the opening or closing statements, engage in argument, or directly question persons brought in by either party. The advisor's sole role is to provide advice and counsel to the student or the respondent(s).

57.5.3.4 At any time, the chair or panel may consult with an appropriate university advisor, call or recall any person brought in by either party, or introduce matters and information it deems relevant to the appeal.

57.5.3.5 The chair may establish reasonable time limitations for the oral presentations of the parties.

57.5.3.6 The formal rules of evidence do not apply to UAAP proceedings. The proceedings of the appeal process shall be informal in nature and need not comply with the formal processes associated with the criminal and civil courts.

57.5.3.7 A person who is not a party shall not be allowed to attend the hearing before he or she testifies. Hearings will be closed to the public.

57.5.3.8 In hearings involving more than one student, at the sole discretion of the chair, a single hearing may be scheduled for all of the students. If any one of the students requests a separate hearing or if the chair determines it is in the best interest of the students, separate hearings may be held. When collective hearings are held, individual findings, decisions, and recommendations will be entered by the UAAP.

57.5.3.9 A record of the hearing (e.g., by audio recording, video recording, or scribe) will be made at the expense of the university. Upon receipt by the chair of a written request, the student may obtain a copy of the record by paying the cost of reproduction or transcription.

57.5.3.10 The chair may dismiss anyone from the hearing, including parties or advisors, whose conduct is inappropriate or disruptive to the hearing process. 57.5.3.11 The student has the burden of proof to demonstrate by a preponderance of information that the evaluation of the student's performance was arbitrary, capricious, or prejudicial.

57.5.4 Appeal Hearing-Order of the Proceedings.

57.5.4.1 The chair will begin the hearing with opening remarks. The chair will summarize the issues, describe the role of the UAAP, and explain the procedures to be followed. The chair will then ask individuals in the room to identify themselves for the record.

57.5.4.2 Unless otherwise determined by the chair, the order of presentation will be as follows, with the allocation of time for each segment to be determined by the chair in advance of the hearing:

- (a) Opening statement by the student. (b) Opening statement by the respondent(s).
- (c) Student presents information (documents and any persons listed), with opportunity for questioning by the respondent(s) and panel members. (d) Respondent(s) presents information (documents and any persons listed), with opportunity for questioning by the student and panel members. Recess for closing statement preparation. (f) Closing statement by respondent. (g) Closing statement by student. (h) Chair declares hearing is concluded.

57.5.5 Post-Hearing Procedures.

57.5.5.1 Upon completion of the hearing the UAAP will meet in closed session for deliberations. If the process requires additional time the UAAP may suspend its deliberations and reconvene at a later day and time. A simple majority vote of the panel is required for findings, decisions, and recommendations. No panel member may abstain from voting. The chair is not a voting member of the UAAP unless for some unexpected reason his/her vote is required to break a tie.

57.5.5.2 The chair will prepare, and all members of the panel will sign, a written final decision to the student:

- (a) Attesting that a majority decision was reached; (b) Describing what the panel's decision was; and (c) Articulating the reasonable, factual basis upon which the UAAP reached its conclusion.

57.5.5.3 The chair will provide a copy of the final decision to the respondent, appropriate department head, appropriate dean, the Office of Undergraduate Studies, and the Executive Vice President for Academic Affairs and Provost.

57.5.5.4 The decision by the UAAP is the final decision of the university and is not appealable to any university or system person or entity.

57.6 Deadlines.

57.6.1 Deadlines—Disputes Over an Unauthorized Absence Determination.

- The student must initiate a preliminary resolution procedure within three (3) university business days of the instructor's decision.
- Students requesting a Department Review must submit the appeal in writing to the department head (or designee) within ten (10) university business days of receiving the respondent's written response referenced above (57.4.1.1).
- Students requesting a College/School Review must submit the appeal in writing to the dean (or designee) within ten (10) university business days of receiving the department head's (or designee's) written response referenced above (57.4.1.2).
- Students requesting a hearing before the UAAP must file the hearing request form within ten (10) university business days of receiving the dean's (or designee's) written response referenced above (57.4.1.3) or the last day of regular classes during the academic term in which the adverse decision was made, whichever comes first.

57.6.2 Deadlines—Disputes Over Final Grades.

- The student must initiate a preliminary resolution procedure within ten (10) university business days of the day final grades are posted for the semester or summer session in which the disputed grade was earned.
- Students requesting a Department Review must submit the appeal in writing to the department head (or designee) within ten (10) university business days of receiving the respondent's written response referenced above (57.4.1.1).
- Students requesting a College/School Review must submit the appeal in writing to the dean (or designee) within ten (10) university business days of receiving the department head's (or designee's) written response referenced above (57.4.1.2).
- Students requesting a hearing before the UAAP must file the hearing request form within ten (10) university business days of receiving the dean's (or designee's) written response referenced above (57.4.1.3) or the fifth day of the long semester (fall or spring) immediately following the academic term in which the adverse decision was made, whichever comes first.

57.6.3 Deadlines—Dismissal from a College/School or Major for Scholastic Deficiency. To

facilitate continuous enrollment should an appeal result in the modification of an adverse decision, the student is urged to initiate the preliminary resolution process immediately after notification of dismissal.

- The student must initiate a preliminary resolution procedure within ten (10) university business days of notification of the dismissal.
- Students requesting a hearing before the UAAP must file the hearing request form within ten (10) university business days of receiving the dean's (or designee's) written response to the appeal or five (5) university business days before the first day of the long semester (fall or spring) immediately following the academic term in which the adverse decision was made, whichever comes first.

57.6.4 Deadlines—Suspension from the University for Scholastic Deficiency. To facilitate

continuous enrollment should an appeal result in the modification of an adverse decision, the student is urged to initiate the formal resolution process immediately after notification of suspension.

- The student must file a hearing request form within ten (10) university business days of notification of the suspension or five (5) university business days before the first day of the long semester (fall or spring) immediately following the academic term in which the adverse decision was made, whichever comes first.

57.7 The chair may reasonably deviate from the procedures and deadlines detailed in this rule if the particular facts and circumstances of the matter support the change. A reasonable deviation from the procedures shall not be grounds for overturning the outcome of the hearing process set forth in this rule.

Propose a Student Rule Revision (<https://student-rules.tamu.edu/propose/revision/?title=Undergraduate Academic Appeals Panel§ion=>)



Student Rules

TEXAS A&M UNIVERSITY

45. Discrimination and Discrimination Appeals

Texas A&M University is committed to providing a safe and non-discriminatory learning, living and working environment for all members of the University community. The University bars students, employees and third parties from engaging in discrimination and/or harassment on the basis of race, color, sex, gender identity, age, religion, disability, national origin, sexual orientation, genetic information or veteran status. In addition, acting in complicity with another who engages in any of these forms of prohibited conduct, or retaliating against a person who participates in protected activity, is also prohibited.

Students believing that they have been subjected to discrimination may report this to the Department of Civil Rights and Equity Investigations (CREI). CREI Office is located in the YMCA Building, Suite 108 at 365 Houston St. and can be reached at 979-458-8407 or civilrights@tamu.edu (<mailto:civilrights@tamu.edu>). Grievance procedures are outlined in:

Texas A&M System Regulation 08.01.01, *Civil Rights Compliance* (<http://policies.tamus.edu/08-01-01.pdf>)

University Rule 08.01.01.M1, *Prohibited Conduct: Discrimination, Harassment, Complicity, and Related Retaliation based on a Protected Characteristic* (<https://rules-saps.tamu.edu/PDFs/08.01.01.M1.pdf>)

Standard Administrative Procedure 08.01.01.M1.01, *Investigation and Resolution of Allegations of Prohibited Conduct Against Students, Employees, and Third Parties* (<http://rules-saps.tamu.edu/PDFs/08.01.01.M1.01.pdf>)

Propose a Student Rule Revision ([https://student-rules.tamu.edu/propose/revision/?title=Discrimination and Discrimination Appeals§ion=](https://student-rules.tamu.edu/propose/revision/?title=Discrimination+and+Discrimination+Appeals§ion=))

EXHIBIT

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Student Rules

TEXAS A&M UNIVERSITY

46. Disability Accommodations in Academic Programs

Texas A&M University is committed to promoting an inclusive environment where every student can fully participate in the educational opportunities, activities and services offered by Texas A&M. Requests for reasonable accommodation should be submitted to **Disability Resources** (<https://disability.tamu.edu>). Students wishing to appeal a decision related to eligibility for accommodation or the reasonableness of an accommodation request may submit **an appeal** (<https://disability.tamu.edu/resources/grievances/>) through the Disability Resources Director or their designee. Disability Resources is located in Suite 122 of the Student Services Building and can be reached at 979-845-1637 or **disability@tamu.edu** (<mailto:disability@tamu.edu>).

Students may report discrimination or harassment based on a disability to the Department of Civil Rights and Equity Investigations. Grievance procedures are outlined in:

Texas A&M System Regulation 08.01.01, *Civil Rights Compliance* (<http://policies.tamus.edu/08-01-01.pdf>)

University Rule 08.01.01.M1, *Prohibited Conduct: Discrimination, Harassment, Complicity, and Related Retaliation based on a Protected Characteristic* (<https://rules-saps.tamu.edu/PDFs/08.01.01.M1.pdf>)

Standard Administrative Procedure 08.01.01.M1.01, *Investigation and Resolution of Allegations of Prohibited Conduct Against Students, Employees, and Third Parties* (<http://rules-saps.tamu.edu/PDFs/08.01.01.M1.01.pdf>)

Propose a Student Rule Revision ([https://student-rules.tamu.edu/propose/revision/?title=Disability Accommodations in Academic Programs§ion=](https://student-rules.tamu.edu/propose/revision/?title=Disability+Accommodations+in+Academic+Programs§ion=))

EXHIBIT

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